

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Madeleine Clayton 07/19/2001
Departmental Forms Clearance Officer
Office of the Chief Information Officer
14th and Constitution Ave. NW.
Room 6086
Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a new information collection received on 05/31/2001.

TITLE: Vessel Monitoring System Requirements in the Western Pacific Pelagic Longline Fishery

AGENCY FORM NUMBER(S): None

ACTION : APPROVED

OMB NO.: 0648-0441

EXPIRATION DATE: 07/31/2004

BURDEN	RESPONSES	BURDEN HOURS	BURDEN COSTS
Previous	0	0	0
New	1,445,568	743	0
Difference	1,445,568	743	0
Program Change		743	0
Adjustment		0	0

TERMS OF CLEARANCE: None

NOTE: The agency is required to display the OMB control number and inform respondents of its legal significance (see 5 CFR 1320.5(b)).

OMB Authorizing Official Title

Donald R. Arbuckle Deputy Administrator, Office of
Information and Regulatory Affairs

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated 5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No 6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) (<i>if applicable</i>)	
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*



The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)	
Signature 	Date 5-15-01
Signature of NOAA Clearance Officer	
Signature 	Date 5/21/01

**SUPPORTING STATEMENT
VESSEL MONITORING SYSTEM (VMS) REQUIREMENT
IN PELAGIC LONGLINE FISHERY**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

The Magnuson Fishery Conservation and Management Act (Magnuson Act) established regional fishery management councils, including the Western Pacific Fishery Management Council (Council), to develop fishery management plans for fisheries in the U.S. exclusive economic zone (EEZ). These plans, if approved by the Secretary of Commerce, are implemented by Federal regulations which are enforced by the National Marine Fisheries Service (NMFS) and the U.S. Coast Guard (USCG), in cooperation with State agencies to the extent possible. The fishery management plans are intended to regulate fishing to ensure long-term productivity and achievement of optimum yield from the resources for the benefit of the U.S.

The Council has prepared, and the Secretary has approved and implemented, through regulations at 50 CFR Part 660, a Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region (FMP). The regulations require all permit holders in the Hawaii-based longline fishery to maintain and operate vessel monitoring system (VMS) units on their vessels after they have been advised by NMFS of a requirement carrying such units. NMFS provides the units and installs them at no cost to the permit holders. Installation has been arranged at times when the vessel is in port between trips to ensure minimal disruption of other activities by the vessel. However, the vessel owner or representative generally takes the time to observe the installation. In addition, the vessel owner or representative typically observes the maintenance check and any software changes.

2. Explain how, by whom, how frequently, and for what purpose the information will be used.

On a broad level, the VMS vessel location reports are used to facilitate enforcement of the area closures in the fishery. The reports provide NMFS and USCG real-time vessel location and activity information. The VMS reports also can be used to check the accuracy of vessel position information reported by the vessel operator in the daily fishing logbooks required by the regulations. This is important in determining or verifying locations of catch by species and time as well as locations in which there were interactions with protected species, such as endangered and threatened sea turtles. The information provides a basis for determining whether changes in management are needed to protect sensitive species or to address fishery interaction problems and for evaluating the impacts of potential changes.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

The VMS requirement integrates current information technology in the fishery management and monitoring process. The collection of information is automatic and invisible. Many vessel owners have taken advantage of this technology by linking personal computers to VMS units to improve communication with other vessels. Although not related directly to VMS, the system could be used by fishermen to transmit their catch and effort data to NMFS on a real-time basis. NMFS is investigating the potential for electronic reporting to take the place of paper logbooks.

4. Describe efforts to identify duplication.

There are no similar comparable programs to collect real-time vessel location information. Requiring vessel operators to make at-sea reports of vessel locations would have been much more costly and difficult, and would have imposed a direct reporting burden on the vessel operator. The VMS unit is passive and automatic, requiring no reporting time of the vessel operator.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

Vessels in the western Pacific fisheries generally range in size from 20 feet to 100 feet. Those who participate in the fisheries are categorized as “small businesses” which are affected in a similar manner by the VMS requirement. In all cases, NMFS notified the vessel owner when the requirement would take effect and arranged times when installation of the unit could be performed to minimize interfering with vessel operations. There was no reporting burden on vessel owners to arrange for VMS installation. The vessel owner is free to decide whether to connect a personal computer to the VMS unit and use the capabilities of the VMS unit is transmitting messages to a home office or other vessels.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

If the VMS was not operational, NMFS Law Enforcement agents and USCG would be tasked with monitoring closed areas via air and surface patrols. The annual cost of relying on traditional surveillance methods using air and surface patrols for time and area coverage is estimated at more than \$25 million. Comparatively, VMS provides 95 to 98 percent coverage at an estimated cost of \$100,000.

There is no reporting frequency requirement for the vessel owner. The frequency with which a vessel VMS is polled to determine location is set by NMFS and USCG depending on the proximity to closed areas and the EEZ boundary.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The collection is consistent with OMB guidelines except that the VMS reports more frequently than quarterly (multiple times per day). That frequency is necessary for enforcing regulations.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice (copy attached) solicited public comments on this submission; none were received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payments or gifts are provided

10. Describe any assurance or confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

Efforts were made in the design of the VMS program to ensure the security of all individual vessel location data, including analysis and storage. The system includes measures to minimize the risk of direct or inadvertent disclosure of fishing location information. These data are considered by vessel operators as proprietary, and NMFS and USCG have taken steps to secure this information as “official use only” throughout the program design. Information submitted is confidential under the Magnuson Act and NOAA regulations.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No questions are asked of a sensitive nature.

12. Provide an estimate in hours of the burden of the collection of information.

The estimated time per response is 4 hours to install a VMS unit (3 new vessels per year estimated), 2 hours per year to repair and maintain a VMS unit, and 24 seconds per day to transmit automated position reports. In calculating the number of position reports per year we have used hourly reports.

3 vessels x 4 hours per vessel to install unit = 12 hours

165 vessels x 2 hours per year maintenance = 330 hours

165 vessels x 24 seconds per day x 365 days per year = 401 hours.

Total estimated burden hours = 743 hours per year.

Total estimated responses = 1,445,568

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.

No direct costs are imposed on vessel operators by the VMS requirement.

The vessel owner or representative generally has observed the initial installation, which involves a total of about 12 hours (3 new vessels x 4 hours per vessel). The vessel owner or representative also has observed any maintenance or repairs estimated at 330 hours per year (165 vessels x 2 hours per vessel per year). The average amount of messaging time is 401 hours per year (165 vessels x 24 seconds per day x 365 days per year). Thus, the annual burden is 743 hours. The actual message costs are paid by the government.

14. Provide estimates of annualized cost to the Federal government.

The initial cost to the government during the first year of the program included 120 VMS units, software, installation, and equipment for a base station, with a total estimated cost of approximately \$600,000. For subsequent years, the estimated cost of the total program is \$100,000 per year, primarily for messaging costs.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

This requirement was previously cleared under 0648-0307, but is now being submitted separately. That clearance covered NMFS-wide requirements and was difficult to manage. Regional submissions are now being used.

16. For collections whose results will be published, outline the plans for tabulation and publication.

No formal scientific publications based on these collections are planned at this time. The data will be used for management reports and fishery management plan amendments and evaluations by the NMFS and the Council. However, subsequent use of the data collected over a series of years may include scientific papers and publications.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

N/A

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

N/A

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No Statistical Methods are employed.

Fishery Conservation and Management

§ 660.26

to contact in order to arrange observer placement.

§ 660.24 Gear identification.

(a) *Identification.* The operator of each permitted vessel in the fishery management area must ensure that the official number of the vessel be affixed to every longline buoy and float, including each buoy and float that is attached to a radar reflector, radio antenna, or flag marker, whether attached to a deployed longline or possessed on board the vessel. Markings must be legible and permanent, and must be of a color that contrasts with the background material.

(b) *Enforcement action.* Longline gear not marked in compliance with paragraph (a) of this section and found deployed in the EEZ will be considered unclaimed or abandoned property, and may be disposed of in any manner considered appropriate by NMFS or an authorized officer.

§ 660.25 Vessel monitoring system.

(a) *VMS unit.* Only a VMS unit owned by NMFS and installed by NMFS complies with the requirement of this subpart.

(b) *Notification.* After a Hawaii longline limited access permit holder has been notified by the SAC of a specific date for installation of a VMS unit in the permit holder's vessel, the vessel must carry the VMS unit after the date scheduled for installation.

(c) *Fees and charges.* During the experimental VMS program, a Hawaii longline limited access permit holder shall not be assessed any fee or other charges to obtain and use a VMS unit, including the communication charges related directly to requirements under this section. Communication charges related to any additional equipment attached to the VMS unit by the owner or operator shall be the responsibility of the owner or operator and not NMFS.

(d) *Permit holder duties.* The holder of a Hawaii longline limited access permit and the master of the vessel operating under the permit must:

(1) Provide opportunity for the SAC to install and make operational a VMS unit after notification.

(2) Carry the VMS unit on board whenever the vessel is at sea.

(3) Not remove or relocate the VMS unit without prior approval from the SAC.

(e) *Authorization by the SAC.* The SAC has authority over the installation and operation of the VMS unit. The SAC may authorize the connection or order the disconnection of additional equipment, including a computer, to any VMS unit when deemed appropriate by the SAC.

§ 660.26 Longline fishing prohibited area management.

(a) *Prohibited areas.* Longline fishing shall be prohibited in the longline fishing prohibited areas as defined in paragraphs (b), (c), and (d) of this section.

(b) *Longline protected species zone.* The protected species zone is 50 nm from the center geographical positions of Nihoa Island, Necker Island, French Frigate Shoals, Gardner Pinnacles, Maro Reef, Laysan Island, Lisianski Island, Pearl and Hermes Reef, Midway Islands, and Kure Island, as defined in § 660.12.

(c) *Main Hawaiian Islands.* (1) From February 1 through September 30 each year, the longline fishing prohibited area around the main Hawaiian Islands is the portion of the EEZ seaward of Hawaii bounded by straight lines connecting the following coordinates in the order listed:

Point	N. lat.	DW. long.
A	18°05'	155°40'
B	18°20'	156°25'
C	20°00'	157°30'
D	20°40'	161°40'
E	21°40'	161°55'
F	23°00'	161°30'
G	23°05'	159°30'
H	22°55'	157°30'
I	21°30'	155°30'
J	19°50'	153°50'
K	19°00'	154°05'
A	18°05'	155°40'

(2) From October 1 through the following January 31 each year, the longline fishing prohibited area around the main Hawaiian Islands is the portion of the EEZ seaward of Hawaii bounded by straight lines connecting the following coordinates in the order listed:

(B) minimize the mortality of bycatch which cannot be avoided;

(12) assess the type and amount of fish caught and released alive during recreational fishing under catch and release fishery management programs and the mortality of such fish, and include conservation and management measures that, to the extent practicable, minimize mortality and ensure the extended survival of such fish;

(13) include a description of the commercial, recreational, and charter fishing sectors which participate in the fishery and, to the extent practicable, quantify trends in landings of the managed fishery resource by the commercial, recreational, and charter fishing sectors; and

(14) to the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery.

97-453, 99-659, 101-627, 102-251, 104-297

(b) DISCRETIONARY PROVISIONS.--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, may--

(1) require a permit to be obtained from, and fees to be paid to, the Secretary, with respect to--

(A) any fishing vessel of the United States fishing, or wishing to fish, in the exclusive economic zone [or special areas,]* or for anadromous species or Continental Shelf fishery resources beyond such zone [or areas]*;

(B) the operator of any such vessel; or

(C) any United States fish processor who first receives fish that are subject to the plan;

(2) designate zones where, and periods when, fishing shall be limited, or shall not be permitted, or shall be permitted only by specified types of fishing vessels or with specified types and quantities of fishing gear;

(3) establish specified limitations which are necessary and appropriate for the conservation and management of the fishery on the--

(A) catch of fish (based on area, species, size, number, weight, sex, bycatch, total biomass, or other factors);

(B) sale of fish caught during commercial, recreational, or charter fishing, consistent with any applicable Federal and State safety and quality requirements; and

(C) transshipment or transportation of fish or fish products under permits issued pursuant to section 204;

(4) prohibit, limit, condition, or require the use of specified types and quantities of fishing gear, fishing vessels, or equipment for such vessels, including devices which may be required to facilitate enforcement of the provisions of this Act;

(5) incorporate (consistent with the national standards, the other provisions of this Act, and any other applicable law) the relevant fishery conservation and management measures of the coastal States nearest to the fishery;

(6) establish a limited access system for the fishery in order to achieve optimum yield if, in developing such system, the Council and the Secretary take into account--

(A) present participation in the fishery,

(B) historical fishing practices in, and dependence on, the fishery,

(C) the economics of the fishery,

(D) the capability of fishing vessels used in the fishery to engage in other fisheries,

(E) the cultural and social framework relevant to the fishery and any affected fishing communities, and

(F) any other relevant considerations;

(7) require fish processors who first receive fish that are subject to the plan to submit data (other than economic data) which are necessary for the conservation and management of the fishery;

(8) require that one or more observers be carried on board a vessel of the United States engaged in fishing for species that are subject to the plan, for the purpose of collecting data necessary for the conservation and management of the fishery; except that such a vessel shall not be required to carry an observer on board if the facilities of the vessel for the quartering of an observer, or for carrying out observer functions, are so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized;

(9) assess and specify the effect which the conservation and management measures of the plan will have on the stocks of naturally spawning anadromous fish in the region;

(10) include, consistent with the other provisions of this Act, conservation and management measures that provide harvest incentives for participants within each gear group to employ fishing practices that result in lower levels of bycatch or in lower levels of the mortality of bycatch;

(11) reserve a portion of the allowable biological catch of the fishery for use in scientific research; and

(12) prescribe such other measures, requirements, or conditions and restrictions as are determined to be necessary and appropriate for the conservation and management of the fishery.

97-453, 104-297

2. The action will not have a severe economic impact on future contractors for the commodity and services.

3. The action will result in authorizing small entities to furnish the commodity and services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodity and services deleted from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the commodity and services listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4. Accordingly, the following commodity and services are hereby deleted from the Procurement List:

Commodity

Floorboard, Wood
2510-01-067-2630

Services:

Administrative Services

Frank Hagel Federal Building, 1221 Nevin Avenue, Richmond, California

Grounds Maintenance

Mare Island Naval Complex and Roosevelt Terrence and Combat Systems Technical School Command, Mare Island Naval Shipyard, Vallejo, California

Janitorial/Custodial

U.S. Federal Building and Courthouse, 110 S. 4th Street, Minneapolis, Minnesota

Parts Sorting

Kelly Air Force Base, Texas

G. John Heyer,

General Counsel.

[FR Doc. 01-3386 Filed 2-8-01; 8:45 am]

BILLING CODE 6353-01-P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Meeting

AGENCY: U.S. Commission on Civil Rights.

DATE AND TIME: Friday, February 16, 2001, 7:30 a.m.

PLACE: Wynhddham Miami Biscayne Bay Hotel, 1601 Biscayne Boulevard, Bahama Room, Miami, FL 33132.

STATUS:

Agenda

I. Approval of Agenda

II. Approval of Minutes of January 12, 2001 Meeting

III. Announcements

IV. Staff Director's Report

V. Final Report Card: The Civil Rights Performance of the Clinton Administration

VI. State Advisory Committee Report

- Reconciliation at a Crossroads: The Implications of *Rice v. Cayetano* on Programs for Native Hawaiians

VII. Future Agenda Items

CONTACT PERSON FOR FURTHER

INFORMATION: Les Jin, Office of the Staff Director, (202) 376-7700.

9:00 a.m. Hearing to Begin

Edward A. Hailes, Jr.,

General Counsel.

[FR Doc. 01-3452 Filed 2-6-01; 4:25 pm]

BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

International Trade Administration, Commerce

Export Trade Certificate of Review

ACTION: Notice of issuance of an amended export trade certificate of review, Application No. 96-A0005.

SUMMARY: The Department of Commerce has issued an amendment to the Export Trade Certificate of Review granted originally to Spirit Index, Ltd. on November 15, 1996. Notice of issuance of the Certificate was published in the **Federal Register** on November 21, 1996 (61 FR 59217).

FOR FURTHER INFORMATION CONTACT:

Vanessa M. Bachman, Acting Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or at E-mail at oetca@ita.doc.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. sections 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR Part 325 (2000).

The Office of Export Trading Company Affairs ("OETCA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of the certification in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

Description of Amended Certificate

Export Trade Certificate of Review No. 96-00005, was issued to Spirit Index, Ltd. on November 15, 1996 (61 FR 59217, November 21, 1996). Spirit Index, Ltd.'s Certificate of Review has been amended to change the name of the Certificate holder from Spirit Index, Ltd. originally located at 342 White Horse Pike, Clementon, New Jersey 08021-4345, to Thomas P. Kaczur at 259 Rockaway Street, Islip Terrace, New York 11752-1104.

A copy of the amended certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, Room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: February 5, 2001.

David C. Bowie,

Acting Deputy, Assistant Secretary for Service Industries and Finance.

[FR Doc. 01-3395 Filed 2-8-01; 8:45 am]

BILLING CODE 3510-DR-U

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 020501B]

Southwest Region Vessel Monitoring System Requirements

AGENCY: National Oceanic and Atmospheric Administration (NOAA)

ACTION: Proposed information collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before April 10, 2001.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Forms Clearance Officer, Department of Commerce, Room 6086, 14th and Constitution Avenue NW, Washington DC 20230 (or via Internet at MClayton@doc.gov).

FOR FURTHER INFORMATION CONTACT:

Requests for additional technical information on VMS Units and operations, please contact Mr. Bob Harman at NOAA Honolulu Law Enforcement, P.O. Box 50246, Honolulu,

HI 96850-7118, (808) 541-3075, bob.harman@noaa.gov. For information on regulations pertaining to VMS Units or copies of the information collection instrument(s) and instructions should be directed to Alvin Katekaru, National Marine Fisheries Service, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814, (808) 973-2935 ext. 207, alvin.katekaru@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

Federal permit holders in the Hawaii longline pelagic fishery are prohibited from fishing unless their vessel has an operational Vessel Monitoring System (VMS) unit. Permit holders in the lobster fishery of the Northwestern Hawaiian Islands that use a VMS are allowed to fish closer to fishing grounds before the regulated opening of the fishery. VMS units automatically transmit periodic location reports, allowing fishery enforcement offices to establish the position of the vessels. These requirements are currently approved under OMB Control #0648-0307, but renewal of OMB clearance is being sought separately from the other requirements that formed 0648-0307.

II. Method of Collection

All VMS position reports are transmitted automatically and electronically.

III. Data

OMB Number: None.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Business and other for-profit organizations.

Estimated Number of Respondents: 165.

Estimated Time Per Response: 4 hours to install a VMS, 2 hours per year to repair and maintain a VMS, and 24 seconds per day to transmit automated positions reports.

Estimated Total Annual Burden Hours: 731.

Estimated Total Annual Cost to Public: None.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information

on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 2, 2001.

Madeleine Clayton,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 01-3388 Filed 2-8-01; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 020501A]

Tag Recapture Card

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Proposed information collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before April 10, 2001.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Forms Clearance Officer, Department of Commerce, Room 6086, 14th and Constitution Avenue NW, Washington DC 20230 (or via Internet at MClayton@doc.gov).

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to David Rosenthal, F/SEC2, Room 224, 75 Virginia Beach Drive, Miami, FL 33149-1003 (phone 305-361-4253).

SUPPLEMENTARY INFORMATION:

I. Abstract

NOAA conducts a Cooperative Gamefish Tagging Program to obtain scientific information on migratory patterns, age, growth, etc. The information is necessary for stock management. Persons capturing tagged fish are asked to provide data on the site

of the capture, fish weight, and other subjects.

II. Method of Collection

The information is submitted on a form.

III. Data

OMB Number: 0648-0259.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Individuals or households.

Estimated Number of Respondents: 240.

Estimated Time Per Response: 2 minutes.

Estimated Total Annual Burden Hours: 8.

Estimated Total Annual Cost to Public: \$0.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 2, 2001.

Madeleine Clayton,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 01-3389 Filed 2-8-01; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 001206342-0342-01; I.D. 080200B]

RIN 0648-ZB00

NOAA Restoration Center; Request for National and Regional Habitat Restoration Partners

AGENCY: National Marine Fisheries Service (NOAA Fisheries), National